

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIC WITHERSPOON,

Plaintiff,

v.

CARLA GREEN, et al.,

Defendants.

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No. C 10-03722 CW

AMENDED ORDER RE  
FURTHER CASE  
MANAGEMENT  
CONFERENCE

A further case management conference was held on Thursday, September 22, 2011. No one appeared at the hearing for the Defendants. Pursuant to the case management order in this case, Docket No. 22, all case-dispositive motions were to be heard on or before today. However, no such motions have been filed.

Accordingly, this case will proceed with pretrial preparations. All previously set discovery, pretrial and jury trial dates are maintained. Accordingly, September 30, 2011 is the deadline for fact discovery. By October 31, 2011, the parties must disclose the identities and reports of expert witnesses. By November 30, 2011, the parties must disclose such rebuttal information. Expert discovery shall be completed by December 31, 2011.

There are pretrial preparation deadlines, apart from the discovery deadlines noted above. The parties shall review the attached order for pretrial preparation, which sets forth

1 instructions and deadlines for pretrial preparation. Compliance  
2 with the pretrial preparation order requires the parties to  
3 communicate and cooperate with each other. The first deadline  
4 occurs on December 21, 2011, twenty-eight days before the pretrial  
5 conference. There are other deadlines, as well. The Court will  
6 hold a final pretrial conference at 2:00 pm on January 18, 2012.

7  
8 Failure to comply with the pretrial filing deadlines by any  
9 of the Defendants will result in an entry of default against that  
10 party. Plaintiff's failure to comply with these deadlines will  
11 result in dismissal of the case for failure to prosecute.

12 Plaintiff is directed promptly to file a request for entry of  
13 default against any Defendant who has been served but not  
14 answered. He may prove his damages against defaulting Defendants  
15 at the close of the trial, or at another hearing to be set if the  
16 trial is not held, and judgment will enter when the claims against  
17 all Defendants have been resolved.

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19 The five day jury trial will begin on January 30, 2012.

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21 IT IS SO ORDERED.

22 Dated: 9/27/2011

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CLAUDIA WILKEN  
United States District Judge